

M. J. Harlan
By *Wallace Debra Danburg*
E. Bartol Luna
WA 75211

H.C.R. No. 88

HOUSE CONCURRENT RESOLUTION

1 WHEREAS, Property owned by Fuhrmann Energy, located in
2 Houston on Caniff Road adjacent to the western limits of the city
3 of South Houston, has been identified by the Texas Department of
4 Water Resources (TDWR) as a hazardous-waste site; and

5 WHEREAS, Under its current and previous owners, the property
6 has accumulated various stores of improperly managed hazardous
7 wastes, including polychlorinated biphenyls (PCBs) that have
8 escaped into drainage ditches leading from the property and that
9 have contaminated surface and subsurface soils to the depths of the
10 underground water table. Surface contamination of the soil extends
11 to within a short distance of Freeman Elementary School, located
12 only a few blocks away in South Houston in the Pasadena Independent
13 School District. Underground water contaminants have not
14 penetrated South Houston's municipal water supplies, nor any nearby
15 water wells under the regulatory authority of the Harris-Galveston
16 Coastal Subsidence District, but contamination of the water table
17 nevertheless poses an ongoing serious threat to public health; and

18 WHEREAS, The United States Congress, via the Comprehensive
19 Environmental Response, Compensation, and Liability Act of 1980
20 (CERCLA), established a "superfund" to support the cleanup of
21 hazardous-waste sites throughout the nation. The United States
22 Environmental Protection Agency (EPA) has since announced the
23 inclusion of 418 sites, eight of which are in Texas, on a National
24 Priorities List of sites that are to be targeted for initial

1 cleanup under the superfund. Being a recently identified site, the
2 Fuhrmann Energy property is not among the eight National Priorities
3 List sites in Texas, but it has been ranked by the TDWR as being at
4 least as hazardous, and it has been formally proposed by the TDWR
5 for addition to the list when it is revised in the spring or summer
6 of this year; and

7 WHEREAS, Until such time as the revision is made and cleanup
8 is consequently implemented by means of the superfund, the Fuhrmann
9 Energy property represents a continuing threat of direct contact
10 between hazardous substances and the nearby populace. Aside from
11 the PCBs that have contaminated surrounding soils and subsurface
12 water, the property is littered with asbestos materials resulting
13 from the owner's attempts to control recent fires. It also houses
14 a potentially dangerous tank of chlorine, and it contains
15 approximately 300 drums of assorted chemical raw products and
16 chemical wastes, many of which have been found to be unlabelled,
17 open, in deteriorating condition, or exposed to the elements, with
18 consequent potential for spillage during periodic rains; and

19 WHEREAS, A temporary expedient for mitigation of the problem
20 exists in the form of the EPA's "planned removal" program (40 CFR
21 Part 300.67), by which a governor or his or her designee may
22 officially request up to one million dollars in funding for stopgap
23 cleanup measures at hazardous waste sites not yet included on the
24 National Priorities List. Thus, the TDWR, besides securing a
25 restraining order to prevent further disturbance of, or pollutant
26 discharge from, the property, has acted as the official designee of
27 the Governor of Texas to formally request planned removal funding

1 for the Fuhrmann site; now, therefore, be it

2 RESOLVED by the House of Representatives of the State of
3 Texas, the Senate concurring, That the 68th Legislature, cognizant
4 of the serious situation that exists at the Fuhrmann Energy
5 hazardous-waste site in Houston, hereby lend its full support to
6 the request by the Texas Department of Water Resources for cleanup
7 funding for that site under the planned removal program of the
8 United States Environmental Protection Agency (EPA); and, be it
9 further

10 RESOLVED, That the Texas secretary of state send an official
11 copy of this resolution to President Ronald Reagan with the
12 legislature's request that he forward it to the administrator of
13 the EPA and use all available means to expedite the release of
14 planned removal funding for the cleanup of the Fuhrmann Energy
15 hazardous-waste site.

Committee Amendment ^{No. 1} of H.C.R. 33

by Croddick
Cathie

Amend line eleven of page one by deleting the word "Freeman" and inserting in its place South Houston. On page two line thirteen delete the words "attempts to control recent fires" and in their place insert the words "recent salvage attempts".

ADOPTED

MAR 30 1983

Betty Murray
Chief Clerk
House of Representatives

1983 MAR 30 PM 1:32

HOUSE
HOUSE OF REPRESENTATIVES
ENGROSSMENT

By Wallace, et al.

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COMMITTEE REPORT FORM

May 23, 1983 Austin, Texas


Date of report to Senate

Honorable William P. Hobby
President of the Senate

Sir:

We, your Committee on Natural Resources to which was referred HCR B. No. 88 have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do ☒ pass and be printed.

ss _____ and be printed.



Chairman

Paper clip the original and one copy of this form to the original bill and retain one copy for your file.

**REQUEST FOR LOCAL & UNCONTESTED CALENDAR
PLACEMENT**

Hon. Roy Blake, Chairman
Administration Committee

Sir:

Pursuant to S.R. 148, notice is hereby given that HCR 88, by: Wallace (Brooks)
was heard by the Committee on Natural Resources on May 23, 1983
and reported out with the recommendation that it be placed on the Local and Uncontested
Calendar.

Chairman of the reporting committee

IMPORTANT: THIS FORM MUST BE ATTACHED TO A PRINTED COPY OF THE BILL OR RESOLUTION, WHICH ALONG WITH 7 ADDITIONAL COPIES OF THE BILL OR RESOLUTION SHOULD BE DELIVERED TO THE OFFICE OF THE COMMITTEE ON ADMINISTRATION, ROOM G-27J. PLEASE CALL 5-1134 IF YOU HAVE ANY QUESTIONS. **DEADLINE FOR SUBMITTING BILLS FOR THE LOCAL CALENDAR IS 5:00 P.M. MONDAYS.**

2

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ENROLLED

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H.C.R. No. 88

President of the Senate

Speaker of the House

I certify that H.C.R. No. 88 was adopted by the House on March 30, 1983, by a non-record vote.

Chief Clerk of the House

I certify that H.C.R. No. 88 was adopted by the Senate on May 26, 1983.

Secretary of the Senate

APPROVED: _____

Date

Governor

*
H. C. R. No. 88

By Wallace
~~Robert D. Hanks~~ ~~Robert D. Hanks~~

HOUSE CONCURRENT RESOLUTION

requesting President Reagan to direct the E.P.A. to release funds for cleanup of Fuhrmann toxic waste site.

FEB 24 1983

1. Filed with the Chief Clerk.

MAR 3 1983

2. Read first time and referred to Committee on Natural Resources

3-22-83

3. Reported favorably (as amended) and sent to Printer at _____ M.
unfavorably (time)

4. Printed and distributed at _____ M.
(time)

MAR 23 1983

5. Sent to Committee on Calendars at Local Consent 8 : 56P M.
(time)

MAR 30 1983

6. Read and (adopted) (failed) (as amended) by a (Non-Record Vote) Record Vote of _____ years, _____ nays, _____ present, not voting).

MAR 30 1983

7. Ordered Engrossed 10:15 A.M.
(time)

MAR 30 1983

8. Engrossed.

MAR 30 1983

9. Returned to Chief Clerk at 1:22 P.M.
(time)

APR 5 1983

10. Sent to Senate.

Betty Murray
Chief Clerk of the House

APR 5 1983

11. Received from the House.

NATURAL RESOURCES

MAY 6 1983

12. Read first time and referred to Committee on _____

MAY 24 1983

13. Reported favorably.

MAY 24 1983

14. Ordered not printed by the Senate.

15. Immediate consideration ordered by (unanimous consent)

(_____ years, _____ nays)

MAY 26 1983

16. Read and adopted.

Laid before Senate

Betty King
Secretary of the Senate

5-26-83

17. Returned to the House.

MAY 26 1983

18. Received from the Senate (~~with amendments~~)

19. House (Concurred) (Refused to Concur) in Senate Amendments by a (Non-Record Vote) (Record Vote of _____ years, _____ nays, _____ present, not voting).

20. Conference Committee Ordered.

21. Conference Committee Report Adopted (Rejected) by a (Non-Record Vote) (Record Vote of _____ years, _____ nays, and _____ present, not voting).

MAY 26 1983

22. Ordered Enrolled at _____

(time)

12:00 noon

HOUSE OF REPRESENTATIVES
1983 MAR 30 PM 1:32